

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

EVERYTOWN FOR GUN SAFETY
ACTION FUND, INC.,

Plaintiff,

v.

DEFCAD, INC.; ODYSEE USER
XYEEZYSZN; DEFCAD USER
XYEEZYSZN; ODYSEE USER
THEGATALOG-PRINTABLEMAGAZINES;
THE GATALOG; DEFCAD USER
FREEMAN1337; TWITTER USER
XYEEZYSZN; PHILLIP ROYSTER.

Defendants.

Civil Action No. 21-cv-08704-
PGG

[PROPOSED] ORDER

Plaintiff Everytown for Gun Safety Action Fund, Inc. (“Everytown”), and Defendant Defcad, Inc. (“Defcad”) (together the “Parties”) hereby agree to entry of a joint stipulated Order as follows:

WHEREAS Everytown and Defcad are interested in resolving the issues in the First Amended Complaint [ECF 89] (“FAC”) in this action, and have negotiated in good faith for that purpose;

WHEREAS Everytown has identified certain file listings (“Files”) in the FAC that have been uploaded to and are accessible on www.defcad.com as follows:

1. “Everytown” 3D Printable AR 15 22LR Magazine (<https://defcad.com/library/c4e0a685-04ad-4034-ab25-44f90b09a725/>);

2. Everytown – Firebolt 5.56 Bold Catch (r) Magwell Panel

(<https://defcad.com/library/b53093c0-5214-475a-bb23-fc7684ef1ff3/>); and

3. Moms Demand Action – Firebolt 5.56 Bolt Catch Magwell

(<https://defcad.com/library/2d0f5a72-3147-4076-9ed9-9aa843710f67/>).

IT IS HEREBY STIPULATED AND AGREED by Everytown and Defcad:

1. Defcad shall permanently takedown the Files from the Defcad website and make the Files inaccessible to the public on the Defcad website within two (2) business days of entry of this stipulated Order: and
2. Defcad shall submit to only limited jurisdiction in the U.S. District Court for the Southern District of New York solely for the purpose of enforcing this Order.

IT IS HEREBY STIPULATED

Dated: March 2, 2023

EVERYTOWN FOR GUN SAFETY ACTION
FUND, INC.

By: /s/Marcella Ballard

VENABLE LLP
Marcella Ballard
Maria Sinatra
1270 Avenue of the Americas, 24th Floor
New York, NY 10020
Tel: 212-370-6289
Fax: 212-307-5598
mballard@venable.com
mrsinatra@venable.com

Attorneys for Plaintiff Everytown for Gun Safety
Action Fund, Inc.

Dated: March 2, 2023

DEFCAD, INC.

By: /s/Daniel Louis Schmutter

HARTMAN & WINNICKI, P.C.

Daniel Louis Schmutter

74 Passaic Street

Ridgewood, NJ 07450

201 967 8040

Fax: 201 967 0590

dschmutter@hartmanwinnicki.com

STEVENS & LEE

Elliott J. Stein

100 Lenox Drive, Suite 200

Lawrenceville, New Jersey 08648

(609) 243-9111

ejs@stevenslee.com

Attorneys for Defendant Defcad, Inc.

IT IS SO ORDERED.

Dated:

HONORABLE PAUL G. GARDEPHE
UNITED STATES DISTRICT COURT JUDGE